

REMARKS

Claims 21, 23-29, 32-36, 38-40, 42-48, 51-55, 57-59, 61, 63, 71-82, and 84-113 are pending in the application, of which Claims 21, 40, 59, 71, and 107 are independent claims. Claims 21, 23-29, 32-36, 38-40, 42-48, 51-55, 57-59, 61, 63, 71-82, 84-85, 87-89, 91-93, 95-106, and 108-113 stand rejected under 35 U.S.C. § 103(a) based on Schoolman in view of Ohnsorge, Spitzer, and Nathanson. Claims 86, 90, 94, and 107 stand rejected under Section 103(a) based on the above combined further in view of Suzuki. The rejections are traversed.

All of the Applicants' claims are directed to a portable wireless communications device. All claims require a CPU, a wireless audio transceiver, a wireless video receiver, and a battery being disposed within a portable housing. The claims also require an active matrix liquid crystal display illuminated by a light source.

Schoolman is the primary reference for all rejections. Schoolman discusses a portable computer and a head-mounted display. As acknowledged by the Examiner, Schoolman does not dispose a CPU or transceivers within the "telephone" housing. That head-mounted display is expressly described as being wired to the computer. One of ordinary skill in the art in the field of portable wireless communication devices, as claimed by the Applicants, would not be drawn to Schoolman.

Schoolman is cited because the Applicants describe a head-mounted embodiment of a portable wireless communication device. No other reason is given to cite Schoolman. One of ordinary skill in the art would not associate a head-mounted display with a portable wireless communication device. Any such association is the result of improper hindsight.

Furthermore, Schoolman by itself is not enabling. For example, Schoolman fails to disclose how to manufacture suitable display screens.

Ohnsorge is cited as teaching a telephone device with a CPU and a wireless transceiver within a telephone housing. There is no suggestion in the art to incorporate the electronics of Ohnsorge's hand-held device into the head-mounted structure of Schoolman. The combination of Ohnsorge with Schoolman would at most suggest modifying the external display electronics module (Fig. 10, ref. 3) of Schoolman. There is no teaching or suggestion, however, of integrating the electronics into the head-mounted housing of Schoolman.

Nathanson is similar to Ohusorge, in that it discusses a hand-holdable device. The teachings of Nathanson are also not combinable with Schoolman. What can be housed inside of a hand-holdable device does not immediately translate into something that can be housed in a head-mountable structure.

The references relied on by the Office are not properly combinable. There is no suggestion or motivation in the art to modify Schoolman to locate a CPU, a wireless transceiver, receiver, and a battery in the eye-glass frame. Nor does the Office Action explain how those steps could be accomplished. Even Suzuki is silent as to batteries and electronics.


Reconsideration of the rejections under 35 U.S.C. § 103(a) is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

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